



Michael O. Leavitt  
Governor

Kathleen Clarke  
Executive Director

Lowell P. Braxton  
Division Director

# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
801-538-5340  
801-359-3940 (Fax)  
801-538-7223 (TDD)

August 8, 2002

## CERTIFIED RETURN RECEIPT 7099 3400 0016 8895 5095

Mr. Neil Bradshaw  
374 South 500 West  
P.O. Box 87  
Milford, Utah 84751

Re: Notice of Potential Non-Compliance & Division Directive, Bright 1 & 2 Quarry, S/021/030, Iron County, Utah

Dear Mr. Bradshaw:

On June 3, 2002, we received a copy of a letter sent to you by the Bureau of Land Management. The letter indicates that your Bright 1 & 2 Quarry has exceeded the 5-acre limit for your small mining permit and that the current surface disturbance totals 7.6 acres. If this information is correct, then the following Division permitting requirements would apply:

### Utah Administrative Code (UAC)

- (1) R647-3-113 Mine Enlargement: *Before enlarging a small mining operation beyond five (5) acres of surface disturbance, the operator must file a Notice of Intention to Commence Large Mining Operations (FORM MR-LMO) and receive Division approval.*
- (2) R647-4-113.1 Surety, further states: *After receiving notification that the notice of intention has been approved, but prior to commencement of operations, the operator shall provide the reclamation surety to the Division.*

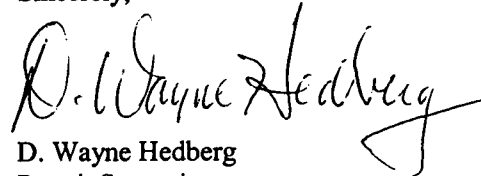
***You are hereby directed to contact the Division within 10 days of your receipt of this letter to schedule a meeting to discuss options to remedy this situation.*** Please contact Joelle Burns, Engineering Technician, at (801) 538-5291, to arrange a meeting in our office to resolve this matter. Your failure to respond accordingly may result in the issuance of a formal Notice of Non-Compliance. This enforcement action could require an immediate suspension of mining operations, the filing of a large mine permit application and the posting of a transitional reclamation surety at \$5,000/acre.

Until this issue is resolved, you must restrict your mining operations to the 5-acre area identified in your original Small Mining Notice of Intention. You should clearly mark the boundary of this 5-acre area with metal T-posts or similar markers to ensure that operations are not conducted outside of the authorized permit area.

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If you have any questions regarding the requirements of this notice, please contact me at (801) 538-5286, or Doug Jensen at 538-5382. Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Wayne Hedberg". The signature is fluid and cursive, with a large, stylized "H" and a long, sweeping underline.

D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
cc: Ed Ginouves, BLM, Cedar City FO (UTU-79703 & UTU- 77247)  
Mary Ann Wright, DOGM  
Doug Jensen, DOGM  
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